

Procedures for

Filing for Elective Office in Washington State



**Office of the
Secretary of State**

*Ralph Munro
Secretary of State*

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Introduction

We in the state of Washington enjoy a unique tradition of promoting citizen involvement in our political system. Under the populist provisions of our state constitution, every voter in the state has the right to run for office and to have his or her name appear on the ballot without prior approval from the major political parties. In addition, our blanket primary system allows citizens to vote for candidates regardless of political affiliation.

Washington residents also enjoy other special rights, such as the right to initiative and referendum, the right to recall elected officials, and the right to a state voters pamphlet containing detailed information on ballot issues and candidates.

The procedures for seeking elective office in Washington are grounded in our heritage of encouraging citizens to participate in our political process. This publication explains the major features of state election law relating to filing for office. Please note that it is not intended to be a substitute for the statutes governing this process but rather should be read in conjunction with them.

If you have questions or need additional information, please contact your [County Auditor or Elections Department](#) or the [Secretary of State's Elections Division](#). We will be happy to assist you.

RALPH MUNRO
Secretary of State

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The general information contained in this pamphlet, unless otherwise provided, applies to all candidates for public office except those offices where ownership of property is a prerequisite to voting. Relevant sections of the Revised Code of Washington (RCW) are available from your public library.

Definitions

Ballot means, as the context implies, either:

- (a) The issues and offices to be voted upon in a jurisdiction or portion of a jurisdiction at a particular primary, general election, or special election;
- (b) A facsimile of the contents of a particular ballot whether printed on a paper ballot or ballot card or as part of a voting machine or voting device;
- (c) A physical or electronic record of the choices of an individual voter in a particular primary, general election, or special election; or
- (d) The physical document on which the voter's choices are to be recorded.

County Auditor includes the county auditor in a noncharter county or the officer, irrespective of title, having the overall responsibility to maintain voter registration and to conduct state and local elections in a charter county.

The **declaration and affidavit of candidacy** form is the form used to file for elective office.

An **election jurisdiction** is the state or any political subdivision or jurisdiction of the state from which officials are elected.

The **filing officer** for candidates filing for all federal offices, for all statewide offices, and for joint legislative or joint judicial districts (a district where voters from more than one county vote upon the office) is the Secretary of State. Candidate filings for all other offices are administered by the County Auditor or elections officer.

The **general election** is a statewide election held annually on the first Tuesday after the first Monday in November.

An **independent candidate** is a candidate for partisan political office who does not represent himself or herself as a member of either a major political party or a minor political party.

An **indigent candidate** is a candidate who lacks sufficient assets or income at the time of filing to pay the filing fee.

A **lapsed election** is an election that is not held and for which no write-in votes are counted.

A **local voters pamphlet** is a publication of a county or city that provides information about ballot measures and/or candidates and other material related to a primary, special election, or general election.

A **major political party** is a political party of which at least one nominee for President of the United States, United States Senator, or a statewide office received at least five percent (5%) of the total election vote cast at the last preceding general election held in an even-numbered year.

A **minor political party** is a political party which has nominated candidates for public office and for which no candidate for statewide office received at least five percent (5%) of the total election vote at the last general election held in an even-numbered year.

A **nominating petition** is a petition to be signed by individuals who support the candidacy of an indigent candidate. The petition is submitted in lieu of the filing fee for the office sought.

A **nonpartisan candidate** is a candidate who files for a nonpartisan office.

A **nonpartisan office** is an office for which candidates are not required to name their party affiliation and no party designation appears on the ballot.

A **partisan candidate** is a candidate who files for a partisan office.

A **partisan office** is an office for which candidates are required to name their party affiliation or declare themselves to be an independent candidate and the party affiliation appears on the ballot.

Presidential primary means the primary in which voters express their preferences to the major political parties regarding candidates for President of the United States. The major political parties have the option of using the results of the primary for purposes of allocating delegates among the presidential candidates

Primary means the nominating primary held for all offices in the state except Precinct Committee Officer and the office of President/Vice President of the United States.

Short term means the brief period of time starting upon the completion of the certification of election returns and ending with the start of the full term. It is applicable only when the officeholder was appointed to fill a vacancy which occurred after the last election at which the office could have been voted upon for an unexpired term. Short term elections must always be held in conjunction with elections for the full term.

A **special election** is any election that is not a general election.

A **vacancy on a major party ticket** occurs when, for a partisan office, no person has filed for a place on the ticket of a major political party, or when the only candidate of that party for that office has withdrawn, died, or been disqualified.

A **vacancy on a minor party ticket** occurs when, for a partisan office, the only candidate of that party for that office has died or been disqualified.

A **void in candidacy** for a nonpartisan office occurs when an election has been scheduled and no valid declaration of candidacy has been filed, or all persons filing declarations of candidacy have died or been disqualified.

The state **Voters Pamphlet** is a publication of the Office of the Secretary of State which provides information about candidates and ballot measures, or both, and other material related to the general election. The state voters pamphlet is distributed to every household in Washington prior to the general election.

Declaration and Affidavit of Candidacy

[\(RCW 29.15.010\)](#)

All candidates, except those filing for President/Vice President of the United States, are required to submit a “Declaration and Affidavit of Candidacy” when filing for public office. The form is printed by the Public Disclosure Commission (PDC) as part of its candidate filing package. The PDC distributes the form to the Office of the Secretary of State, County Auditors, and candidates prior to the filing period.

Candidates for Precinct Committee Officer file a form that is different from the Declaration and Affidavit of Candidacy. This form may be obtained from the County Auditor or elections officer.

Dates to File Declaration and Affidavit of Candidacy

[\(RCW 29.15.020 & RCW 29.42.050\)](#)

For all candidates, except those for President/Vice President of the United States and Precinct Committee Officer, the filing period starts on the fourth Monday in July and ends on the next succeeding Friday. The filing period for Precinct Committee Officer candidates begins on the fourth Monday in July, but is extended to and includes the third Friday after the start of the filing period.

Where to File Declaration and Affidavit of Candidacy

[\(RCW 29.15.030\)](#)

Candidate filings for all federal offices, for all statewide offices, and for joint legislative or joint judicial districts (a district where voters from more than one county vote upon the office) are made with the Office of the Secretary of State. Filings for all other offices are made with the appropriate County Auditor or elections officer.

Filing Fees

[\(RCW 29.15.050\)](#)

State law provides that candidates for most offices must submit a filing fee along with their Declaration and Affidavit of Candidacy. The fee structure is as follows:

- Candidates for offices that do not have a fixed annual salary pay no filing fee, nor is there a filing fee for the office of President/Vice President of the United States;
- Candidates for the office of Precinct Committee Officer pay a filing fee of one dollar (\$1);
- Candidates for any office with an annual salary of one thousand dollars (\$1,000) or less pay a filing fee of ten dollars (\$10);
- Candidates for all other offices pay a fee equal to one percent (1%) of the annual salary for the office sought. For example, if the office sought has an annual salary of \$20,000, the filing fee would be two hundred dollars (\$200).

Indigent Candidates

[\(RCW 29.15.050-080\)](#)

Washington state provides an alternate method of ballot access to those candidates without sufficient assets or income to pay the filing fee required by law. This alternative method is called the Nominating Petition.

The Declaration and Affidavit of Candidacy form requires candidates to check a box indicating that they are either accompanying the form with the required filing fee or that they are without sufficient assets or income to pay the fee and are therefore submitting a Nominating Petition in lieu of the fee.

The following provisions apply to Nominating Petitions:

- To be accepted, the Nominating Petition must contain at least one valid signature for each dollar of the filing fee for the office sought. If the filing fee is \$200, for example, a Nominating Petition would need to contain at least 200 valid signatures;
- The signatures submitted must be of registered voters from the jurisdiction for which the candidate is filing. For example, if the candidate is filing for the office of State Representative 1st District, the signatures must be of those registered to vote in the 1st Legislative District;
- The filing officer may reject any Nominating Petition if it is not in the proper form, if it clearly bears insufficient signatures, if it is not accompanied by the Declaration and Affidavit of Candidacy, or if the time for filing both has expired (the form of the Nominating Petition is specified in RCW 29.15.060);
- Any rejection of the petition by the filing officer may be appealed to the Superior Court in the county where the petition is filed;
- Candidates must pay either the filing fee or declare themselves without sufficient assets or income and submit a Nominating Petition; it is not permitted to combine the two (i.e., to pay part of the fee and submit the balance in petition signatures).

Withdrawals

[\(RCW 29.15.120-125\)](#)

A candidate may withdraw a Declaration and Affidavit of Candidacy at any time through the close of business on the Thursday following the close of the filing period. Candidates for city, town, or special purpose district offices may withdraw their

candidacy at any time prior to the ordering of primary ballots by the county auditor or elections officer. All withdrawals must be made in writing and must be received by the filing officer prior to the deadline. ***PLEASE NOTE: Filing fees of candidates who withdraw are not refundable.***

Party Nominations

Major political parties nominate candidates in accordance with the provisions of Chapters 29.15 and 29.18 RCW. They are subject to the primary, and the person receiving the most votes as a major party candidate becomes that party's nominee and advances to the general election ballot.

Minor political parties nominate candidates in accordance with the provisions of Chapter 29.24 RCW. ***PLEASE NOTE: If you are filing as a minor party or independent candidate, please ask the Secretary of State's office for a copy of the publication "Procedures for Nominating Minor Party and Independent Candidates in Washington State."***

Nonpartisan Offices

Candidate filing procedures for nonpartisan offices are the same as for partisan offices, except that no party designation appears on the ballot.

Write-in Candidates

[\(RCW 29.04.180-190 & RCW 29.51.170\)](#)

A person who desires to be a write-in candidate may file a Declaration and Affidavit of Write-in Candidacy with the County Auditor or elections officer if the office sought is voted upon by voters from only one county, or with the Secretary of State if the office sought is a federal office or is an office which is voted upon by voters from more than one county. The Declaration of Write-in Candidacy must be filed no later than the day before the election or primary.

Those who wish to cast a write-in vote for candidates who have filed a Declaration and Affidavit of Write-in Candidacy need only write the name of the candidate in the appropriate location on the ballot in order for that vote to be counted. Write-in votes cast for candidates who have not filed a Declaration of Write-in Candidacy must include the office sought and, if applicable, position number and political party in order to be counted.

A person may **not** file as a write-in candidate if any one of the following conditions exists:

- At a general election, the person attempting to file either filed as a write-in candidate for the same office at the preceding primary or the person's name appeared on the ballot for the same office at the preceding primary;
- The person has already filed a valid Declaration of Write-in Candidacy for that primary or election, unless one or the other of the two filings is for the office of Precinct Committee Officer;
- The name of the person already appears on the ballot as a candidate for another office, unless one of the two offices is that of Precinct Committee Officer.

Declaration and Affidavit of Write-in Candidacy forms are available from the County Auditor or election officer, or from the Office of the Secretary of State.

Voters Pamphlet Information

[\(Chapters 29.80 & 29.81, RCW\)](#)

When applicable by state law, candidates for the office of President/Vice President of the United States, United States Senator, United States Representative, all statewide offices, State Senator, State Representative, and judge of the Court of Appeals and Superior Court are eligible for inclusion in the official Voters Pamphlet published by the Office of the Secretary of State.

Candidate statements and photographs should be submitted with the Declaration and Affidavit of Candidacy at the time of filing. Specific information regarding fees, space, photograph and statement specifications can be found on the Declaration and Affidavit of Candidacy form.

The Secretary of State's office also provides voter information through electronic media, including the Internet. Information regarding electronic voter guides is made available to candidates at the time of filing.

Candidate inquiries regarding the official Washington State Voters Pamphlet should be directed to the Elections Division in the Office of the Secretary of State (*see page 9 for address and telephone information*). Those persons filing for local elective office should check with their County Auditor or elections officer about local voters pamphlet requirements.

Vacancies/Voids in Candidacies for Partisan Offices

[*\(RCW 29.18.150-160, RCW 29.15.140-150 & RCW 29.15.230\)*](#)

The **major** political parties are permitted to fill vacancies on the ticket caused by withdrawal of the only candidate of that party or by failure of any candidate of that party to file for a partisan office. The deadline for filling vacancies is the Friday following the close of the filing period. If the office is one for which filings are made with the County Auditor, the appointment is made by the party's county central committee. If the office is one for which filings are made with the Secretary of State, the appointment is made by the party's state central committee.

If a vacancy on either a **major** party or **minor** party ticket is caused by the death or disqualification of a candidate or nominee, it may be filled at any time up until the day prior to the primary or election. If the office is entirely within one county, the appointment is made by the county central committee of a major political party or the governing body of a minor political party. If the office is one for which filings are made with the Secretary of State, the appointment is made by the state central committee of a major political party or the governing body of a minor political party.

If the vacancy occurs more than three weeks prior to a primary or election, the ballots must be corrected to reflect the new candidate.

If the vacancy occurs less than three weeks prior to a primary or election, the ballots need not be corrected and the votes cast for the deceased or disqualified candidate are credited to the appointee.

Vacancies/Voids in Candidacy for Nonpartisan Offices

[*\(RCW 29.15.150-220\)*](#)

If, after the last day for candidates to withdraw, no candidate has filed for any nonpartisan office, the filing officer is required to open a special three-day filing period, and to give notice of the special filing period through newspapers, radio, or television. The three-day filing period is also required whenever, before the fourth Tuesday prior to a primary:

- A vacancy occurs in any nonpartisan office which is scheduled for election but for which filings have not been held;
- A nominee for Judge of the Superior Court dies or is disqualified.

If a void in candidacy or a vacancy occurs in a nonpartisan office other than Supreme Court Justice or Superintendent of Public Instruction after the fourth Tuesday prior to the primary but before the fourth Tuesday prior to the general election, it is

handled as described above except that the candidates are listed on the general election ballot only.

Lapsed Elections

[\(RCW 29.15.180-240\)](#)


A scheduled election for nonpartisan office is lapsed when:

- A void in candidacy for the offices of Supreme Court Justice or Superintendent of Public Instruction occurs after the fourth Tuesday prior to the primary;
- A nominee for Judge of the Superior Court dies or is disqualified on or after the fourth Tuesday prior to a primary;
- In other elections for nonpartisan office, a void in candidacy occurs or a vacancy occurs involving an unexpired term to be filled on or after the fourth Tuesday prior to an election;
- After a special three-day filing period held due to a void in candidacy, no candidate has filed for any city, town, or district position. With respect to these offices, the incumbent continues to serve until a successor is elected at the next election to be held by the city, town, or district for the purpose of electing officers to full terms.

Information and Assistance

For additional information and assistance, call your County Auditor or Elections Department (under government listings in your telephone directory), or contact the office of the Secretary of State:

Elections Division
Office of the Secretary of State
Legislative Building • PO Box 40220
Olympia, Washington 98504-0220
Phone: (360) 902-4151 • Fax: (360) 586-5629
TDD: 1-800-422-8683
E-mail: elections@secstate.wa.gov
Internet: www.wa.gov/sec/elections.htm

 *If you need this information in an alternate format,
please contact the Office of the Secretary of State at the numbers listed above.*